

CHAPTER 233

BELIZE PORT AUTHORITY (PILOTAGE) REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Title.
2. Interpretation.
3. Qualifications.
4. Additional requirements.
5. Board.
6. Matters on which candidates to satisfy Board.
7. Certificate of competency.
8. Pilot's licence.
9. Pilots licence in certain cases.
10. Refusal to renew and suspension of licence.
11. Fees.
12. Where towing vessels.
13. Disputes.
14. Inward and outward pilotage.
15. Boarding and leaving vessels.
16. Pilots' residence.
17. Lapse and revocation of permit.
18. Roster.
19. Attendance on Harbour Master.
20. Report.
21. Clearance.
22. Report on hoisting of flag.
23. Care and diligence.
24. Behaviour.
25. Obedience to orders, etc.
26. Provisions of law.
27. Pilots over 65.

28. Pilots flag.
29. Pilots light.
30. Calling pilot.
31. Display of signal.
32. Wrongly displaying lights, etc.
33. Payment to pilots.
34. Discontinuance of granting licences.
35. Report of change or unusual matter.
36. Penalty.

FIRST SCHEDULE

SECOND SCHEDULE

CHAPTER 233

Ch. 150.
40 of 1965.
6 of 1980.
27 of 1980.

BELIZE PORT AUTHORITY (PILOTAGE) REGULATIONS*

1. These Regulations may be cited as the

Title.

PILOTAGE REGULATIONS.

2. In these Regulations-

Interpretation.

“Board” means the Board of Examiners appointed by the Harbour Master for the purposes of these Regulations;

“licence” means a licence as a pilot granted under the provisions of these Regulations;

“the Act” means the Pilotage Act.

LICENSING OF PILOTS

3. Any of the following persons being citizens of Belize and not less than twenty-one years of age or more than sixty-five years of age may apply in writing to the Harbour Master to be examined as to his capacity to be a licensed pilot:

Qualifications.

- (a) any person who has undergone an apprenticeship or continuous service under one or more qualified pilot or pilots for a term of, or for periods amounting in the whole to five years;

*These Regulations were made under the authority of the Pilotage Act which was repealed on 1st November 1981 when Part VII of the Belize Port Authority Act came into force; and has been saved by virtue of the provisions of s. 29 of the Interpretation Act (Cap. 1).

- (b) any person who has served as master of a home trade or coasting ship of not less than twenty-five tons registered tonnage for a continuous period of not less than six years.
- Additional requirements. 4. Every applicant for examination under the provisions of these Regulations shall, on application for such examination-
- (a) produce at least two certificates of good moral character and sobriety,
- (b) pay into the Port Authority office the fee of \$50, and
- (c) produce a medical certificate signed by a Government medical officer showing that by reason of such applicant's sight, hearing and physical fitness he is medically fit to perform the duties of a pilot.
- Board. 5. (1) The Harbour Master may, from time to time, appoint such persons as he may think fit to form a Board for the examination of persons applying for certificates of competency as pilots.
- (2) Any three of the persons so appointed shall form a quorum.
- (3) The Board may call to its aid at any examination the assistance of any master mariner or qualified pilot.
- Matters on which candidates to satisfy Board. 6. No person eligible for examination under these Regulations shall be granted a certificate of competency unless he satisfies the Board of his ability to read and write and of his knowledge of the following:
- (a) the international regulations for the prevention of collisions at sea;

- (b) charts and their use;
- (c) fixing the position of a vessel by compass bearings;
- (d) variation and deviation of a compass and the application of same to compass courses and bearings;
- (e) the ports of Belize including the depth of water within each port, off-lying shoals, reefs, the width of channels and other details relating to the regular navigational routes in the waters of Belize;
- (f) the courses and distances between places within Belize;
- (g) the complete management of a vessel including the anchoring, mooring and unmooring and berthing of vessels;
- (h) all recognised anchorages in the Belize Harbour and other harbours in Belize;
- (i) the marks on and the use of the hand lead line;
- (j) hurricanes in the Gulf of Mexico and Caribbean area and weather conditions in Belize;
- (k) the law and regulations governing pilotage in Belize;
- (l) the international signals to be given by vessels with respect to pilots;

and of any other matters which the Board of Examiners may consider necessary.

7. (1) Every applicant for examination who complies with all the Certificate of competency.

requirements of these Regulations and satisfies the Board of his fitness to perform the duties of a pilot shall be issued with a certificate of competency in the form set out in Form A of the First Schedule to these Regulations.

(2) Every such certificate shall be signed by the members of the Board.

(3) Notices shall be published in the *Gazette* of every certificate of competency and of every licence issued under the provisions of these Regulations.

(4) The Harbour Master shall keep a list of all qualified pilots with their addresses exhibited in a conspicuous place in his office.

Pilot's licence.

8. (1) A person who has been granted a certificate of competency shall not offer himself for service as a qualified pilot until he has been granted a pilot's licence by the Harbour Master in the form set out in Form B of the First Schedule to these Regulations.

(2) A pilot's licence shall remain in force until the end of the year in which it is issued:

Provided that whenever an order suspending a pilot's licence is made such licence shall cease to have effect during the term of suspension.

(3) A pilot's licence shall be renewable annually on application made to the Harbour Master supported by a medical certificate giving particulars as required by paragraph (c) of regulation 4 of these Regulations.

Pilots licence in certain cases.

9. (1) Notwithstanding anything contained in these Regulations the Harbour Master may grant a licence in Form C of the First Schedule to these Regulations to any person applying for the same who holds a pilot's licence granted to him before the 31st December 1953, under the provisions of the Pilotage Act, as amended, and who the Harbour Master is satisfied has remained

a fit and proper person to perform the duties of a pilot.

(2) A licence granted in the Form C of the First Schedule to these Regulations shall contain the same conditions and limitations as are set out in the pilot’s licence previously held by the applicant under the provisions of the Pilotage Act aforesaid.

(3) The provisions of these Regulations which apply to licences granted in Form B of the First Schedule to these Regulations shall apply *mutatis mutandis* to licences when granted in the Form C of the First Schedule to these Regulations.

(4) The annual fee for a pilot’s licence whether in Form B or Form C of the First Schedule to these Regulations shall be one hundred dollars.

40 of 1965.

10. (1) If at any time the Harbour Master is of opinion that the licence of a pilot should not be renewed or that a pilot is for any reason incapable of discharging his duties as a pilot, the Harbour Master shall refuse to renew such licence or shall suspend such licence, as the case may be, and report the same to the Minister who shall institute such inquiry into the matter as he may deem fit.

Refusal to renew and suspension of licence.

(2) If the Minister after such inquiry is satisfied that the pilot so reported is unfit or unable to perform the duties of a pilot the Minister shall thereupon order that the licence of such pilot shall not be renewed or shall be cancelled as the case may be.

FEES FOR PILOTAGE

11. (1) The fees payable to qualified pilots for the pilotage of all vessels shall be those set out in the Second Schedule to these Regulations and shall be paid in at the Port Authority office by the master of the vessel, and failing payment by him by the agent or consignee thereof.

Fees. Second Schedule.

- Second Schedule. (2) The fees in respect of any pilotage not included in the said Schedule shall be fixed by the Harbour Master.
- (3) Every pilot engaged to pilot an expected vessel shall be entitled to the fees applicable to other vessels of the same tonnage.
- Where towing vessels. 12. (1) A pilot piloting any vessel which is towing another vessel or other vessels shall, in addition to the fees for the vessel which he is piloting, be entitled to the following fees:
- Second Schedule. (a) in respect of each vessel being towed on which there is no pilot, the appropriate fee specified in the Second Schedule hereto in respect of such vessel;
- (b) in respect of each vessel being towed on which there is a pilot, a fee equivalent to one-half of the appropriate fee specified as aforesaid in respect of such vessel.
- Second Schedule. (2) A pilot piloting any vessel which is being towed shall be entitled to a fee equivalent to one-half the appropriate fee specified in the Second Schedule hereto in respect of such vessel.
- Disputes. 13. In the event of any dispute as to the tonnage of a vessel the same shall forthwith be referred to the Harbour Master whose decision shall be final.
- Inward and outward pilotage. 14. (1) A pilot who has been engaged for inward or outward pilotage of any vessel in a port other than Belize City or for any movements within the pilotage limits of Belize other than in the Belize Harbour or between English Caye and Belize City shall be reimbursed by the owner, master, agent or consignee of such vessel any reasonable transportation and subsistence expenses necessarily incurred by him in connection with the pilotage for which he was engaged.

(2) Notwithstanding the provisions of paragraph (1) of this regulation no pilot shall be entitled to be reimbursed any transportation expenses if a suitable means of transportation is offered to him by the owner, master, agent or consignee of the vessel in respect of which his services were engaged or if Government transportation is made available to him.

(3) For the purposes of paragraphs (1) and (2) of this regulation the decision of the Harbour Master as to whether the payments for transportation and for subsistence are reasonable or whether the means of transportation offered to a pilot is a suitable means of transportation shall be conclusive.

PILOT STATIONS

15. (1) English Caye and Goffs Caye situate at the entrance to the ship's channel of the Belize City Harbour are pilot stations. Boarding and leaving vessels.

(2) Pilots shall board or leave incoming and outgoing vessels respectively immediately outside the hundred fathoms curve east of Goffs and English Caye Banks or approximately two miles to the east of the said Cayes:

Provided that a pilot may, with the consent of the master of the vessel which he is piloting, either board or leave such vessel at any other place.

16. (1) Pilots will be permitted to reside either at English Caye or Goffs Caye. Pilots' residence.

(2) Any pilot wishing to erect quarters for his residence shall make application in writing to the Harbour Master who shall, providing there is sufficient available space on either Caye, issue a permit in writing subject to the following:

- (a) the payment of an occupancy fee of one dollar per annum to the Commissioner of Lands and Surveys;

- (b) that not more than four persons in the pilot's household shall be permitted to reside on the Caye;
- (c) that the house shall be built on a site approved by the Harbour Master; and
- (d) such other conditions as the Harbour Master may consider necessary.

Lapse and revocation of permit.

17. (1) Any permit granted under the last preceding regulation shall cease to have effect immediately on the cancellation of the licence of the pilot or on his ceasing for any cause to be a licensed pilot.

(2) The Harbour Master may, at any time, revoke such permit for breach by the pilot of any of the conditions therein contained.

SERVICE AND CONDUCT OF PILOTS

Roster.

18. Pilots shall work in rotation in accordance with instructions issued them by the Harbour Master who shall maintain a roster of duty and detail them for work according to their order of seniority.

Attendance on Harbour Master.

19. Every qualified pilot shall, whenever required, attend and produce his licence to the Harbour Master.

Report.

20. Every pilot, who shall come to Belize City or into the harbour thereof, shall report himself without delay at the Harbour Master's office, and shall answer such questions with reference to his duties as a qualified pilot as may be there put to him.

Clearance.

21. No pilot shall move a ship from its anchorage to proceed on an outward voyage without the master previously exhibiting to him the clearance of the ship from the Port Authority office.

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22. Whenever the pilot signal shall be hoisted on the flagstaffs at the Port Authority office and/or the Court House in Belize City, every qualified pilot then in Belize City shall at once report at the Harbour Master's office. Report on hoisting of flag.
23. Every pilot shall use his utmost care and diligence to conduct any vessel under his care without damage or injury to itself or any other vessel. Care and diligence.
24. Every pilot shall conduct himself with strict sobriety and with due respect towards the masters and officers of vessels. Behaviour.
25. Every pilot shall pay strict attention to all the harbour regulations, and shall obey all orders and directions which may be given to him by the Harbour Master with respect to placing, mooring and moving vessels in his charge within such harbour. Obedience to orders, tec.
26. Every pilot shall make himself thoroughly acquainted with the provisions of the Act and any regulations made there under. Provisions of law.
27. No pilot who has attained the age of sixty-five years shall be entitled to have his licence renewed: Pilots over 65.

Provided that the Harbour Master may renew the licence of a pilot up to the age of seventy years if such pilot passes a medical examination to his satisfaction.

28. (1) Every pilot offering for service while afloat during the daytime shall carry a rectangular flag at least two feet in height and three feet in length, which shall be of two colours, the upper horizontal half white and the lower horizontal half red. Pilots flag.

(2) This flag shall be placed on a mast, sprit or staff so that it can be clearly visible from all points on the horizon.

- Pilots light. 29. (1) Every pilot offering for service during the night-time shall exhibit from the craft or boat in which he is travelling a white light which may be either carried at the masthead or shown or exhibited at short intervals.
- (2) In addition every pilot shall have on hand a lantern with a green glass on one side and a red glass on the other which shall be flashed or shown at intervals to indicate the direction in which his craft is heading.
- (3) The green light shall be shown on the starboard side, and the red light shall be shown on the port side of the craft or boat.
- Calling pilot. 30. The master of any vessel requiring the services of a pilot when approaching a pilot station, or whilst in the Port of Belize City, shall cause to be exhibited such signals as may be prescribed from time to time by international agreement and contained in the International Code of Signals.
- Display of signal. 31. It shall be the duty of every pilot on taking pilotage charge of any vessel to cause to be displayed from the masthead of such vessel such flag or other signal which may be specified in the International Code of Signals to signify that such vessel is provided with a pilot:
- Provided that if the master of the vessel prevents the pilot from having such flag or other signal displayed, such master and not the pilot shall be guilty of an offence against these Regulations.
- Wrongly displaying lights, etc. 32. (1) Any pilot showing any signal at night, when not in the proper recognised channels, or showing any light or signal when his boat is in such a position as would lead a vessel approaching such light or signal into danger, shall be guilty of an offence, and shall, in addition to any liability for damages at the instance of any person aggrieved, be liable on summary conviction to a fine not exceeding two hundred dollars.
- (2) Every person who procures, abets or connives at the commission

of any such offence shall be guilty of an offence and on summary conviction be liable to a like penalty.

GENERAL

33. (1) The fees earned by pilots and deposited at the Port Authority office in accordance with the requirements of regulation 11 of these Regulations shall, subject to such deductions as are agreed to in writing between the Port Authority and the pilots, be repaid by the Harbour Master at either monthly or half monthly intervals as may be decided upon by the Harbour Master in equal shares to all qualified pilots who have worked throughout the month, or who reported for and were available for duty throughout the entire course of the month. Payment to pilots.

(2) A pilot who through sickness or any other cause is unable to perform his duties for any period shall not be entitled to any share of monies earned during such period.

34. (1) The Harbour Master may at any time and for any period discontinue the granting of licences if it shall appear to him that there is a sufficient number of pilots to meet the requirements of shipping. Discontinuance of granting licences.

(2) The power conferred by paragraph (1) of this regulation shall not be exercised unless a notice of the intention to exercise such power has been published in six consecutive issues in the *Gazette*.

(3) As soon as the Harbour Master shall consider that it is again desirable to grant pilot's licences he shall cause a notice to that effect to be published in the *Gazette*.

35. Whenever any pilot shall observe any alteration to the charted depth of water at any port or anywhere around the coast, or the displacement of any buoy or of any irregularity in connection with any light, mark, or other navigational aid, or the presence of any floating object dangerous to navigation or of any Report of change or unusual matter.

matter affecting the safety of navigation, he shall forthwith report it to the Harbour Master.

Penalty.

36. Any person who fails to comply with or acts in contravention of any of these Regulations shall be guilty of an offence against these Regulations, and shall, on summary conviction, be liable to a fine not exceeding two hundred dollars.

FIRST SCHEDULE

(Regulation 7)

FORM A

BELIZE

CERTIFICATE OF COMPETENCY UNDER THE PILOTAGE REGULATIONS

THIS IS TO CERTIFY that Mr. of
..... has been carefully and personally examined by us, whose names are hereunto subscribed, members of the Board of Examiners, regarding his skill and ability in the navigation of sailing vessels and steamers, and his knowledge of the ports of Belize, and of the channels leading thereto, and of the rocks, shoals and dangers therein, and he is possessed of sufficient nautical skill to be put in pilotage charge of vessels and steamers of the largest size and greatest draught of water entering any of the ports of Belize, and that in our belief he is a person of good character and of sober habits.

Given under our hand at this day of 20.....

.....
.....
.....

Board of Examiners.

FORM B**(Regulation 8)****BELIZE**

LICENCE TO QUALIFIED PILOT

THIS IS TO CERTIFY that Mr. of
..... is licensed as a pilot for conducting all sailing vessels and steamers of
the largest size and greatest draught of water entering or navigating within the limits of the waters
of Belize.

This licence expires on the 31st day of December 20....., unless suspended or revoked prior to
the aforesaid date under the provisions of the Pilotage Regulations.

Dated this day of 20
Harbour Master.

FORM C

(Regulation 9)

BELIZE

LICENCE TO PILOTS HOLDING LICENCE PRIOR TO 31st DECEMBER, 1953

THIS IS TO CERTIFY that Mr. of
is licensed as a pilot for conducting sailing vessels and steamers of the largest size and the
greatest draught of water entering or navigating the waters of Belize within the following limits:-

.....
.....
.....

This licence expires on the 31st day of December, 20...., unless suspended or revoked
prior to the aforesaid date under the provisions of the Pilotage Regulations.

SECOND SCHEDULE
FEES FOR PILOTING OF SHIPS AND VESSELS

- | | | |
|----|---|---------|
| 1. | For any vessel, either inwards or outwards between English Caye and Belize City, per foot of maximum draught | \$4.50 |
| | With additional charges of .08 cents a registered ton for vessels up to 800 tons; or .05 cents a ton for vessels above 800 tons; subject to a minimum payment in respect of any vessel above 800 tons of .. | \$64.00 |
| 2. | Between Belize City and The Boguc or Sibun | \$75.00 |
| 3. | Between Belize City and points on the Southern Coast as far as Placencia, per foot of maximum draught | \$4.50 |
| | plus tonnage charges as in 1. | |
| 4. | Between English Caye and points on the Southern Coast as far as Placencia, or between Belize City and places beyond Placencia, per foot of maximum draught | \$5.00 |
| | plus tonnage charges as set out in 1 above. | |
| 5. | Between English Caye and points beyond Placencia, per foot of maximum draught | \$6.00 |
| | plus tonnage charges as set out in 1 above. | |
| 6. | A daily allowance to the pilot for every day (including stoppages at intermediate points) he is detained on board beyond the time necessary to bring in or take out the vessel, of | \$40.00 |